

REMARKS

After entry of this paper, claims 5–18 will be pending.

Claim 1 – 4 are hereby cancelled without prejudice.

Claims 5, 6, 7, 8, 9, 12, 13, 14, 15, and 16 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 24 of U.S. Patent No. 6,652,720. Claims 10, 11, 17, and 18 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 24 of U.S. Patent No. 6,652,720 in view of U.S. Patent No. 4,950,378 to Nagata. These double-patenting rejections are rendered moot by the Terminal Disclaimer filed herewith.

Rejections under 35 U.S.C. § 102

Claims 1–3 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,162,077 to Bryan ("Bryan"). Claims 1–3 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,950,378 to Nagata ("Nagata"). Claim 1 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 6,478,950 to Peat ("Peat").

Applicants submit that these rejections are rendered moot by the cancellation of claims 1–3.

Rejections under 35 U.S.C. § 103

Dependent claims 2 and 4 are rejected as being obvious in view of Bryan. Dependent claims 2–4 are rejected as being obvious in view of Peat. Dependent claim 4 is rejected as being obvious in view of Nagata.

Applicants submit that these rejections are rendered moot by the cancellation of claims 2–4.

Information Disclosure Statement

Applicants enclose copies of references WO 01/65248 A2 and the Yoshihito Ikariyama et al. article, requested by the examiner and cited in the International Search Report cited in the IDS submitted on July 15, 2004. Please note that an additional PTO-1449 listing these references was not submitted as these references were already cited on a previous PTO-1449 form (dated May 6, 2003, references B8 and C15).

CONCLUSION

In light of the foregoing, Applicants respectfully submit that all claims are now in condition for allowance.

If the Examiner believes that a telephone conversation with Applicants' attorney would expedite allowance of this application, the Examiner is cordially invited to call the undersigned attorney at (617) 310-8327.

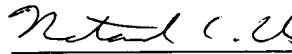
Enclosed is a Supplemental Information Disclosure Statement and Form PTO-1449. Applicants request the Examiner to return the initialed PTO-1449 form to the undersigned attorney.

Enclosed is a check for \$110.00 for the Terminal Disclaimer fee and a check for \$180.00 for the Information Disclosure Statement fee. Applicants believe that all required fees have been paid. If any error has been made in the payment of fees, please charge any additional fee occasioned by this paper to our Deposit Account No. 20-0531.

Respectfully submitted,

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